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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to paragraphs 3 and 4 of Security Council resolution 968 (1994) of 16 December 1994. It provides an account of the activities of the United Nations Mission of Observers in Tajikistan (UNMOT) and the efforts I have undertaken, in accordance with the resolutions of the Council, to make progress towards national reconciliation.

II. ACTIVITIES OF UNMOT

Maintenance of the cease-fire

2. At the time of the adoption of resolution 968 (1994), the situation in Tajikistan was relatively quiet. However, since the end of December there have been a number of reports by the Russian border forces about attempts by armed members of the opposition to infiltrate Tajikistan from Afghanistan across the Pyanj River. For their part, the opposition has reported shelling of Afghan villages by the Russian border forces. I have also taken note of the letter from the Permanent Representative of Afghanistan to the United Nations addressed to the President of the Security Council on 9 January 1995 (S/1995/20).

3. A particularly serious breach of the cease-fire, which was the subject of a formal complaint to the Joint Commission and was investigated by it, took place on 2 January 1995 in the Kalaikhumb sector, when opposition fighters, apparently coming from Afghanistan, ambushed a platoon of the Russian border forces and then a second unit that came to assist the platoon. Nine Russian soldiers were killed and eight wounded; several of the bodies were mutilated.

4. On four occasions in January, UNMOT's team at Pyanj reported shelling by the Russian border forces towards Afghanistan. At the end of January, the Joint Commission carried out an investigation in northern Afghanistan in response to a complaint by the opposition.

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5. It will be recalled that the Agreement on a Temporary Cease-Fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks (S/1994/1102, annex I), signed at Tehran on 17 September 1994, prohibits the redeployment of military formations in Tajikistan. In early January, UNMOT learned that approximately 350 government troops had been deployed to the area of Kalaikhumb/Darvaz. This led to a formal complaint from the opposition. The Tajik authorities have since confirmed that some 350 troops were sent to the area to join the border forces.

6. UNMOT maintained an active schedule of patrolling in the valley between Dushanbe and Garm. Complaints were received from this area concerning the mistreatment of travellers at police checkpoints. After investigation by the Joint Commission, remedial action was taken by the authorities; no further complaints have been received on this matter.

7. One of the issues that has emerged during the reporting period is the existence of discrepancies between the mandate of the Russian border forces, which have broad powers of search and arrest in the border areas, and the provisions of the cease-fire. This has been the subject of a continuing dialogue with the Russian authorities and, in particular, with the Russian border forces in Tajikistan in order to find a way for those forces to carry out their mandate within the spirit and provisions of the Tehran Agreement.

Joint Commission

8. The Joint Commission of the Tajik parties is the main instrument for the maintenance of the cease-fire. The Commission was meant to be composed of 10 members, but currently there are only 8, 4 on each side. UNMOT is closely involved in the Commission's work and chairs its meetings, which take place at UNMOT's headquarters, and UNMOT military observers participate in the Commission's field investigations. Cooperation between the Commission's members has been smooth and its findings so far have been adopted by consensus.

9. According to the Protocol to the Tehran Agreement (see S/1994/1253, annex), logistic support for the Joint Commission, including office space and accommodation and board for its members, is to be provided on the territory of Tajikistan by the Government of Tajikistan and on the territory of Afghanistan by the Tajik opposition. The parties also appealed to the Collective Peace-keeping Forces of the Commonwealth of Independent States (CIS) and to the international community for financial and logistic support for the Commission. While the Government has provided accommodation, the members of the Commission lack funds for their basic subsistence and the Commission as a whole has not received the means needed to carry out its tasks. The CIS Collective Peace-keeping Forces made available three vehicles and drivers, but this assistance was terminated after one month. UNMOT has reminded the Tajik sides of their responsibilities in this regard. I have also been in touch with the Russian authorities, in view of their earlier promises of support and the fact that the Russian forces in Tajikistan are the only organization in that country capable of providing vehicles and air transport. In particular, the timely provision of helicopter transport is essential for carrying out investigations.

10. I have made arrangements for a trust fund to support the Joint Commission in accordance with the Protocol to the Tehran Agreement and have sent an appeal to Member States to contribute to it. No contributions have been received so far.

Liaison

11. UNMOT has maintained close liaison with the parties to the conflict as well as with the CIS forces and the Russian border forces on matters relating to the maintenance of the cease-fire. It has also been in close touch with the representatives of the States and international organizations that are observers at the inter-Tajik talks. At UNMOT's suggestion, the Joint Commission has held periodic meetings with the representatives of the observer States, the Organization for Security and Cooperation in Europe (OSCE) and the International Committee of the Red Cross (ICRC). The observer States have given valuable political support for the maintenance of the cease-fire.

12. The location of UNMOT headquarters at Dushanbe has facilitated liaison with the Government, the CIS Collective Peace-keeping Forces and the Russian border forces. However, it has been difficult to maintain constant or even regular contact with the opposition, with which liaison has been maintained mainly through its members in the Joint Commission. In addition, the Secretariat has been in telephone contact with political leaders of the opposition in the Islamic Republic of Iran. UNMOT has tried to establish direct contact with the opposition's field commanders in northern Afghanistan, but has been unable so far to arrange effective liaison.

13. UNMOT has continued to provide political liaison and coordination for humanitarian assistance to Tajikistan, which is undergoing a deep economic crisis. Shortages of food and other basic necessities are widespread and the humanitarian assistance provided by the international community is indispensable, especially for the more vulnerable elements of Tajik society. UNMOT holds weekly coordination meetings with the representatives of United Nations agencies and programmes, as well as non-governmental organizations. It also conducts regular briefings on questions of security for these organizations.

Organizational aspects

14. At the end of January 1995, UNMOT's total personnel numbered 55: 11 international civilian staff, 22 local staff and 22 military observers. The military observers are from Austria (4), Bangladesh (7), Denmark (2), Hungary (1), Jordan (5) and Uruguay (3). UNMOT is headed by Mr. Liviu Bota, while the Chief Military Observer is Brigadier-General Hasan Abaza (Jordan).

15. In addition to its headquarters at Dushanbe, UNMOT maintains field stations at Garm, Kurgan-Tube and Pyanj. Additional field stations are to be opened as soon as the necessary personnel and equipment have arrived.

16. The Government of Tajikistan has formally agreed to my proposals concerning the status of UNMOT, which has thus been regulated along the lines of the model agreement contained in document A/45/594.

III. CONSULTATIONS WITH THE TAJIK PARTIES

17. During the third round of inter-Tajik talks, held at Islamabad at the end of October 1994, the two sides agreed to hold the next round in Moscow in early December 1994. When delays occurred in convening the fourth round, I instructed Mr. Ramiro Píriz-Ballón, my Special Envoy for Tajikistan, to undertake consultations with the Tajik Government, leaders of the opposition and certain Governments in the region. From 12 to 21 December 1994, the Special Envoy visited Dushanbe, Moscow and Tashkent for consultations with senior officials in these capitals.

18. During these consultations, President Rakhmonov of Tajikistan supported the idea of an early fourth round of inter-Tajik negotiations in Moscow, with the aim of extending the Tehran Agreement and achieving further progress in mutual confidence-building measures with the opposition.

19. My Special Envoy also explored the possibility of postponing the parliamentary elections scheduled for 26 February 1995. He pointed out to President Rakhmonov that this measure would give sufficient time to amend the electoral law as recommended by OSCE. This would provide the opportunity for opposition parties and movements to participate in a free and fair electoral process under international supervision. It would also extend the time-frame for the return of refugees and displaced persons, thus enabling them to participate in the elections. This step would thus promote national reconciliation. After consulting the Presidium of the Supreme Council, President Rakhmonov indicated to my Special Envoy his willingness to postpone the elections, provided the leaders of the opposition would state that they were willing to participate in them and to recognize their results. He requested my Special Envoy to consult with the opposition leaders on this issue.

20. From 12 to 15 January 1995, a United Nations team, led by the Director of the West Asia Division of the Department of Political Affairs of the Secretariat, had consultations with the Tajik opposition leaders in Tehran and with high-ranking officials of the Islamic Republic of Iran.

21. The United Nations team emphasized the need to extend the Tehran Agreement as soon as possible and to achieve substantive progress on national reconciliation during the next round of talks in Moscow. The Tajik opposition leaders were informed of the outcome of the consultations held by my Special Envoy at Dushanbe and the agreement of the Tajik Government to postpone the parliamentary elections, provided the opposition would participate in them and recognize the results. It was explained that the United Nations, OSCE and the observer countries in the Tajik talks considered that postponement of the elections would provide an opportunity to introduce necessary reforms in Tajikistan, creating the requisite environment for free and fair elections under international monitoring. Under those conditions, the participation of the

opposition in the parliamentary elections would be justified and would advance the process of national reconciliation.

22. However, the Tajik opposition leaders showed no interest in participating at this stage in parliamentary elections, even if they were to be postponed for a few months. Instead, they focused on complaints against the Tajik Government and the Russian border forces, accusing them of violating the Tehran Agreement. They stated that the opposition could not accept Moscow as the venue for the next round of talks, regardless of the previous agreement on the issue in the Islamabad communiqué (see S/1994/1253, annex), unless the Russian Federation would officially recognize the Tehran Agreement; return to the opposition the weapons and ammunition seized since the Agreement came into force; remove the new checkpoints established on the road connecting the towns of Khorog and Kalaikhumb in Gorno-Badakhshan; and delegate a representative of the border forces to the Russian observer team during the negotiations.

23. The Tajik Government was informed of this outcome and has since announced that the parliamentary elections will take place on 26 February 1995.

24. Following the consultations in Tehran, the Tajik opposition leaders dispatched a delegation to Moscow for unofficial contacts with representatives of the Russian Government to discuss the issues that were blocking the convening of the fourth round of inter-Tajik talks. Although these consultations were reported to be positive, they did not lead to agreement on the holding of the fourth round in Moscow.

25. The Tehran Agreement is scheduled to expire on 6 February 1995. In a letter addressed to me on 25 January 1995, President Rakhmonov stated that the Government of Tajikistan was prepared to extend it for any length of time without any additional conditions. He also reconfirmed the commitment of his Government to ensure the continuation of the talks.

26. Mr. Akbar Turajonzodah, head of the Tajik opposition delegation and First Deputy Chairman of the Islamic Revival Movement of Tajikistan, addressed a letter to me on 27 January 1995 in which he emphasized the need to resolve the conflict through political means at the negotiating table. In this regard, he declared a one-month extension - until 6 March 1995 - of the Tehran Agreement, in connection with the holy month of Ramadan. He expressed the hope that this would give an opportunity to continue the inter-Tajik political talks and lead to significant progress in resolving the fundamental issues on the agenda of the talks. Mr. Turajonzodah also stated that, in view of the constructive and stabilizing role of UNMOT, the Tajik opposition hoped that I would recommend that the Security Council extend the mandate of the mission.

27. The texts of the letters of President Rakhmonov and Mr. Turajonzodah are attached to the present report as annexes I and II respectively.

28. On 3 February 1995, talks took place in New York between Mr. Turajonzodah, accompanied by a delegation of the Tajik opposition, and the Under-Secretary-General for Political Affairs and the Assistant Secretary-General for Peace-Keeping Operations. The Secretariat officials urged Mr. Turajonzodah to accept that the fourth round of talks should take place at

an early date in Moscow, as had been agreed at the third round of talks in Islamabad. They pointed out that this would provide concrete evidence of the opposition's commitment to national reconciliation, in accordance with paragraph 3 of Security Council resolution 968 (1994).

29. Mr. Turajonzodah said that the opposition was ready to participate in the fourth round of talks at any time but that it could not agree that it should be held in Moscow. This was because of actions by the Russian border forces which the opposition considered to be violations of the Tehran Agreement. The Russian Government had not agreed to remove these obstacles during the unofficial contacts in Moscow, referred to in paragraph 24 above. The opposition was, however, ready to meet in any other capital of a member of CIS, without exception.

IV. OBSERVATIONS

30. As will be clear from the preceding section of the present report, the parties have made it possible for me to comply only partially with the requirements stated in paragraph 3 of Security Council resolution 968 (1994). Both have agreed to an extension of the cease-fire beyond 6 February 1995, though the opposition's agreement is to an extension of only one month. Both have also stated their commitment to a continuing political process. But the opposition's unwillingness to accept Moscow as a venue for the next round of inter-Tajik talks makes it impossible for me to report to the Council that negotiations are being actively pursued at the present time. I shall maintain my efforts to obtain the agreement of both parties to a venue and date for the fourth round.

31. In the meantime, the situation in Tajikistan remains tense, particularly on the border with Afghanistan. The economic crisis has had a serious negative impact on efforts to reach political stabilization in the country and to complete the repatriation of refugees.

32. The activities of UNMOT connected to the implementation of the Tehran Agreement, imperfect as the latter may be, are an important stabilizing factor in the country. This is recognized by both the Tajik parties. Although the fourth round of inter-Tajik talks remains blocked, both sides still say they are determined to continue the political process under the auspices of the United Nations. I accordingly recommend that UNMOT's presence in Tajikistan be continued for another month, until 6 March 1995, on the understanding that every effort will be made during that period to obtain agreement on the holding of the next round of talks as soon as possible.

Annex I

[Original: Russian]

Letter dated 25 January 1995 from the President of Tajikistan to the Secretary-General

First of all, allow me to convey to you and your Special Envoy to Tajikistan, Mr. Píriz-Ballón, my sincere thanks for the enormous efforts you have made to continue the inter-Tajik talks.

For its part, the Government of the Republic of Tajikistan reaffirms its position of principle and is prepared to do everything within its power to ensure the continuation of the talks.

In this context, I consider that the Agreement of 17 September 1994 on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country is the starting-point for the continuation of the talks. I have the honour to state that the Government of Tajikistan, which recognizes the exceptional importance of the Agreement, is prepared to extend it for any length of time and without any additional conditions.

I hope that, through the efforts being undertaken by the United Nations, the Tajik opposition will also take this step with a view to achieving, in the end, peace and prosperity in the land of the Tajiks.

(Signed) Emomali RAKHMONOV
President of the Republic of Tajikistan

Annex II

[Original: Russian]

Letter dated 27 January 1995 from the Head of delegation of the Tajik Opposition, First Deputy Chairman of the Islamic Revival Movement of Tajikistan, to the Secretary-General

On behalf of the Tajik opposition, I take this opportunity to convey to you my sincere thanks for the peacemaking efforts that have been undertaken with a view to settling the Tajik conflict.

On behalf of the leaders of the Tajik opposition, I should like to reaffirm our position of principle that the conflict should be settled by political means, at the negotiating table. In this regard, we declare a one-month extension - until 6 March 1995 - of the Agreement of 17 September 1994 on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country, in connection with the holy month of Ramadan. I hope that this will give us an opportunity to continue the inter-Tajik political talks and make significant progress in resolving the issues on the agenda of the talks, including fundamental political problems. The Tajik people are waiting for this with impatience, and our neighbours and the entire international community have placed their hopes in this.

In view of the constructive and stabilizing role of the United Nations Mission of Observers in Tajikistan (UNMOT), I should like to express the Tajik opposition's wish and hope that you will recommend that the Security Council extend the mandate of the Mission.

(Signed) A. TURAJONZODA
Head of delegation of the Tajik Opposition
First Deputy Chairman of the Islamic
Revival Movement of Tajikistan